

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

DARLENE JONES,	:	
Plaintiff,	:	CIVIL ACTION
	:	
v.	:	
	:	
MICHAEL J. ASTRUE,¹	:	NO. 06-1778
Commissioner of Social Security,	:	
Defendant.	:	

ORDER

AND NOW, this 12th day of October 2007, after careful and independent consideration of Plaintiff Jones' Motion for Summary Judgment, or in the Alternative, Motion for Remand (Docket No. 10), and Defendant Commissioner's Response to Plaintiff's Request for Review (Docket No. 11), and after review of the Report and Recommendation of United States Magistrate Judge L. Felipe Restrepo (Docket No. 15), Plaintiff Jones' Objections thereto (Docket No. 16), and Defendant Commissioner's Response (Docket No. 17), it is hereby ORDERED that:

- 1) The Report and Recommendation is APPROVED AND ADOPTED;
- 2) Plaintiff's Objections are OVERRULED; and
- 2) Plaintiff's Motion for Summary Judgment, or in the Alternative, Motion for Remand is DENIED.

BY THE COURT:

S/Gene E.K. Pratter

GENE E.K. PRATTER
United States District Judge

¹Michael J. Astrue became the Commissioner of Social Security effective Feb. 12, 2007. See Miles v. Astrue, 2007 WL 764037, at n.1 (E.D. Pa. Mar. 9, 2007). Accordingly, pursuant to Fed. R. Civ. P. 25(d)(1) and 42 U.S.C. § 405(g), he is automatically substituted for Jo Anne B. Barnhart as the defendant in this action.